

**KENTUCKY BOARD OF EDUCATION  
SPECIAL MEETING  
JANUARY 13, 2003**

**STATE BOARD ROOM  
1ST FLOOR, CAPITAL PLAZA TOWER  
FRANKFORT, KENTUCKY**

***SUMMARY MINUTES***

The Kentucky Board of Education held a special meeting on January 13, 2003, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, Kentucky, and conducted the following business:

**Monday, January 13, 2003**

***CALL TO ORDER***

Chair Helen Mountjoy called the Board meeting to order at 9:00 a.m.

***SWEARING-IN OF NEW BOARD MEMBER***

Judge Reed Rohrer was present to conduct the swearing-in of Janice Allen from Prestonsburg.

***ROLL CALL***

Present for the meeting were Janice Allen, Alcie Combs, Dorie Combs, Gail Henson, Helen Mountjoy, Hilma Prather, Samuel Robinson, David Tachau, Keith Travis and Paul Whalen. Absent were Jeff Mando and Sue Hodges Moore.

***DISCUSSION OF PRELIMINARY CONSOLIDATED STATE APPLICATION  
ACCOUNTABILITY WORKBOOK***

Chair Helen Mountjoy emphasized that the completion of this preliminary application only begins the process of dialogue with the United States Department of Education (USDOE). She noted it was her hope that the Board would not spend time editing the document today but instead look at the broad policy issues. Mountjoy explained that although the document was labeled to have 232 pages, the Board only received 54 because the remaining pages are attachments. She suggested that the discussion would proceed by looking at each section of the document and felt there were some sections that would require more attention than others.

Commissioner Wilhoit stated that this application is indeed preliminary and encouraged the Board to develop the proposal consistent with the education reform activity in

Kentucky and what is best for children rather than trying to match the *No Child Left Behind Act* point for point. He emphasized that the plan should hold together the integrity of Kentucky's system. Wilhoit explained that the Department would be working with a peer review panel designated by the USDOE over the next few months to discuss the application. However, he said that staff needs to leave the meeting today with a clear sense of what the Board wants to submit on January 31. Wilhoit clarified that the format of the document sent to the Board is the same one the United States Department of Education will require for the official submission.

Chair Mountjoy went on to say at today's meeting the Board must make a final determination on the "n" number and for the definition of graduation rate. She emphasized that staff must have direction on how to proceed because they must submit this preliminary application by the end of January on the Board's behalf. She noted that Board members will be able to review the final submission individually but not as a group. Mountjoy explained that the Board must act on the document as required by the federal officials. She shared that the contents of the document has been shared with Dr. Ed Ford in the Governor's Office as well as with the School Curriculum, Assessment and Accountability Council (SCAAC). Chair Mountjoy said that Lois Adams-Rodgers and Scott Trimble met with officials in Washington last week and she felt with that input and all of the other dialogue with various constituencies, the Board has a base of information on which to draw. Mountjoy emphasized that it is her belief the Board should submit what it is the best system for Kentucky's children.

At this point, Dr. James Catterall, Dr. John Poggio, Scott Trimble, and Benny Lile came forward for the discussion.

Keith Travis first asked for a quick timeline of the process relative to this preliminary application.

Chair Mountjoy reviewed that the federal regulations were not ready until the end of November and that staff did not receive them until the end of December or early January. She noted that many portions of the *No Child Left Behind Act* are to be phased-in over a period of years but said that Kentucky must have a plan for meeting the requirements submitted by January 31. After that, Mountjoy said that the peer review process would occur with dialogue about Kentucky's application with federal officials that will result in revisions leading to the final application for submission by May 31.

At this point, Commissioner Wilhoit called the Board's attention to page 8 of the application where three designations were available to choose from for each element within the application. He explained that an F would mean Kentucky believes we have fully complied with that particular element. For a P, Wilhoit explained it means a policy exists but there are some implementation issues to resolve. For the final designation of W, the Commissioner noted this to mean the state is still attempting to formulate the policy for meeting the requirement. He went on to say that five states went through a fast track approval process and were approved last week. The approval of these applications,

he said, showed states do not have to exhibit an F for each element, but instead the objective is have to have a plan for how to handle the different elements.

Chair Mountjoy then asked Commissioner Wilhoit to describe the peer review process.

Commissioner Wilhoit stated that a panel of people will come to Kentucky and said the panel would be made up of people from other states as well as United States Department of Education officials. He noted that it would be a one-day visit and said their report will be advisory to the United States Department of Education. The Commissioner explained that it would be possible for a peer review team to say that the state is in compliance but still have the United States Department of Education overrule their recommendation. He indicated the peer review process is supposed to be completed by the beginning of May.

1.1 How does the state accountability system include every public school and LEA in the state?

Next, Helen Mountjoy asked members to turn to page 12 of the application and said that the language needs to be clarified relative to A2-A6 schools. She noted that a separate accountability score is not given to these schools but instead the scores are sent back to the sending schools. Commissioner Wilhoit agreed that the language did need to be clarified but felt Kentucky could justify that all schools are included in the accountability system. Mountjoy went on to say that it might be good for staff to say at the beginning of each standard whether Kentucky meets or exceeds the element. Hilma Prather agreed since Kentucky exceeds in so many areas.

1.2 How are all public schools and LEAs held to the same criteria when making an AYP determination?

The next point of discussion was on page 16 of the application relative to standard 1.2. Chair Mountjoy noted this is clearly a key element where all schools need to have the same criteria for meeting AYP.

Dorie Combs inquired if it meant that if schools don't meet their goal in the off-year that they do not meet AYP.

Commissioner Wilhoit explained that in order to comply with AYP, staff has added an off-year process so that if a school is not progressing in the off-year, assistance is offered and some decision is made as to whether the school is on course. He said that we are trying to hold on to our two-year system, but also making some judgment annually.

Helen Mountjoy said that the good part of this proposal is that when it is accepted by the federal officials, the Board will be able to show that it is not a major change of direction.

Dorie Combs said her question was whether a reviewer would understand this off-year proposal or if the language needs to be more specific.

David Tachau asked whether the Department was able to learn anything from the five applications that were approved. Commissioner Wilhoit responded that Massachusetts' proposal is similar to Kentucky's. Helen Mountjoy reminded Board members that today they did not need to be as concerned about what the federal officials think but instead about what is best for Kentucky.

Then, Hilma Prather inquired if a school has not made enough progress in one year to meet its biennial goal, if the transfer requirement begins. Commissioner Wilhoit replied that it did not because Kentucky is putting intervention into its proposal earlier than the federal Act requires.

1.3 Does the state have at a minimum, a definition of basic, proficient and advanced student achievement levels in reading/language arts and mathematics?

The next indicator considered by the Board was 1.3 where Chair Mountjoy wondered if there needed to be general language included on what proficient in Kentucky means and an emphasis on its rigor. Dr. John Poggio thought that staff might want to cite what proficient means on CATS as related to what it means on the National Assessment of Educational Progress (NAEP) as well as a comparison to a couple of other states.

Commissioner Wilhoit explained that by defining proficient at a low level states could game the system. However, he said the implication of this definition is that it drives instruction. Wilhoit noted that by setting Kentucky's definition at a higher level the state will still be compared to those states that have set their definition at a lower level.

Helen Mountjoy emphasized that she is proud that this Board has taken the road to set a high standard.

1.4 How does the State provide accountability and adequate yearly progress decisions and information in a timely manner?

Mountjoy then moved on to Indicator 1.4, which had to do with making decisions in a timely manner. She pointed out that this indicator is a W on Kentucky's application and said there were two potential responses laid out for the Board's consideration.

Commissioner Wilhoit said that staff are trying to maintain a marriage between Kentucky's system and the federal requirement. He noted that the preferred direction is contained in Option 1, which would maintain all the current elements of our system and meet the federal requirements. Wilhoit stated that Option 2 would take the course of working toward getting the test scores back to schools sooner.

David Tachau asked if the applications recently approved for the five states would shed any light on this issue.

Commissioner Wilhoit replied that states are being very creative relative to this requirement, with one state counting multiple choice questions only for federal purposes

and getting those back to schools by July. Scott Trimble added that in that particular state, the initial classification of a school is made before schools start based on the multiple choice questions with a revision of the classification once the open response are scored, if needed. Wilhoit went on to say that the first judgment is the final one for federal purposes.

Keith Travis then asked if this requirement would bring demands on testing vendors that will limit their ability to get scores back to the states. Gene Wilhoit replied that this is already happening. Travis then suggested that staff might want to put the last paragraph first that appears in Option 1.

Benny Lile of the School Curriculum, Assessment and Accountability Council (SCAAC) asked if there would be any advantage in saying that Kentucky does get a portion of its scores back to schools early. He noted that NAEP is permitted six months to return results.

Chair Mountjoy suggested that staff include that multiple measures are used.

Dr. John Poggio emphasized that there is a period of time necessary in a testing cycle to analyze the data. He explained that even if open response questions are pulled out, it would put contractors at risk of delivering inaccurate results.

Helen Mountjoy then asked the Board if their consensus was to go with Option 1 and they replied affirmatively.

#### 1.5 Does the State accountability system produce an annual State Report Card?

The next element discussed was 1.5, which Chair Mountjoy noted shows what Kentucky's report card does and what must happen for a state report card to exist. With no major discussion on this element, Mountjoy moved on to 1.6.

#### 1.6 How does the State accountability system include rewards and sanctions for public schools and LEAs?

Dorie Combs felt that this element was well written and explained exactly what Kentucky does.

Helen Mountjoy noted that it does need to say we exceed this requirement.

Gene Wilhoit felt that in his mind, this element is one that is at the very heart of what Kentucky is proposing.

Helen Mountjoy added that this is one of maybe two issues in the application that would be "fall on your sword" issues.

#### 2.1 How does the State accountability system include all students in the State?

The next element was 2.1 that related to how the system includes all students. Hilma Prather asked what the chances were that Kentucky would be allowed to continue with the alternate portfolio, since it does not produce separate reading and math scores.

Chair Mountjoy replied that in the visit that occurred in December with federal officials, they asked about Kentucky's alternate portfolio and said that the configuration of this requirement may be reconsidered.

Scott Trimble noted that alternate portfolios could be used in both content areas in order to deal with federal requirements. He indicated that two things have to be clarified by federal officials including whether reading and math must be separate and if the alternate portfolio must be done in grades 3-8.

## 2.2 How does the State define "full academic year" for identifying students in AYP decisions?

The Board moved on to Indicator 2.2 that dealt with a consistent definition of full academic year. Chair Mountjoy felt this element was a difficult one and would need some explanation.

Gene Wilhoit explained that staff tried to look at what the National Council of Education Statistics (NCES) is doing in this area and said Kentucky's LEP definition is also critical to what needs to be done.

Scott Trimble explained that an academic year begins in the fall and ends in the spring. He noted that for LEP students in a school the previous academic year or if the student has been in the same school or the same district for a full academic year during the previous academic year, these students are tested. For the general population, Trimble said that if a student is in school the first day of the testing window, the student will be tested. Thus, he said, using these criteria Kentucky requires accountability for virtually every student. In addition, Trimble explained that limited English proficient students who have been in an English speaking instructional program for two full academic years regardless of whether or not they have been in the same school or district for a full year are assessed and included in accountability calculations.

Chair Mountjoy said there were two issues involved, the definition of a full academic year and then the implications for LEP and mobile students. She indicated that staff have been told that there should be one definition to serve both purposes and stated that staff are proposing the definition be the first day of school to the last day of school.

Commissioner Wilhoit went on to say that by defining a full academic year in this manner, it does not exclude large groups of students and provides some flexibility because each school has its own starting and ending date.

Gail Henson felt that a later date would catch more students.

John Poggio clarified that the Board just needs a consistent, clear definition of full academic year.

Gail Henson then suggested that Option 1 is where the Board needs to stay.

John Poggio went on to say that another way to look at this would be the first day of the school year and an arbitrary date by which students need to be there to perform adequately on CATS.

Chair Mountjoy asked if the National Technical Advisory Panel on Assessment and Accountability (NTAPAA) members or Benny Lile objected to the definition offered in Option 1.

Benny Lile pointed out that a good number of transient students do not attend until after Labor Day. Commissioner Wilhoit felt that the attendance of particular students should not determine the definition of full academic year.

Dorie Combs stated that the definition could be the first day of school to the last day of school and also say at least 175 days. Helen Mountjoy felt that this limits the Board. She explained the proposed definition affects only LEP students because an alternative is proposed for transient students in another section. Hilma Prather added that she does not want to have schools where there is 50% of the population excluded. Helen Mountjoy suggested that transient students be handled within the section that covers that topic and asked if Board members were in agreement with the definition of using first day of school to the last day of school. The consensus was affirmative for using this definition.

### 2.3 How does the State accountability system determine which students have attended the same public school and/or LEA for a full academic year?

The Board moved on to deal with 2.3 that dealt with transient students. Scott Trimble had run some data where all elementary 4/5 schools were included and found that there were some schools where only 50% of the student population remained stable from grade 4 to grade 5.

Helen Mountjoy said that it was her understanding that this is not just limited to urban centers but that the problem is exacerbated there. Scott Trimble said this is correct and commented that it affects schools everywhere. Mountjoy noted that the proposed approach is to say that Kentucky exceeds the federal standard and does not want to leave any student behind because if the literal interpretation within the federal regulation is used, it would exclude 50% of students in some of Kentucky's schools. She then asked if the way Kentucky has included these transient students in the past would be considered reasonably valid and reliable. Scott Trimble applied affirmatively and said it has worked well. She asked that this be included in the rationale for this standard. Mountjoy then asked Benny Lile if the School Curriculum, Assessment and Accountability Council had any light to shed on this issue.

Benny Lile stated that there is no perfect solution relative to transient students.

Mountjoy then stated that the recommendation is to make the strongest case possible that Kentucky exceeds this requirement and continue what is currently done in our system and the Board via consensus concurred.

3.1 How does the State's definition of adequate yearly progress require all students to be proficient in reading/language arts and mathematics by the 2013-2014 academic year?

The next indicator was 3.1 dealing with proficiency in reading and mathematics by 2014. Keith Travis suggested that the 'almost' be removed in the first sentence.

3.2 How does the State accountability system determine whether each student subgroup, public school and LEA makes AYP?

Indicator 3.2 dealt with the subpopulation issue and Chair Helen Mountjoy asked Gene Wilhoit to comment on this section. Commissioner Wilhoit summarized the issue as whether one line is used for all schools versus an individual line for each school.

David Tachau asked if he was reading the information correctly where the 'n' would be set at 10. Helen Mountjoy replied that Indicator 5.5 deals with that issue and indicated this indicator just references that one. She clarified that if the 'n' changed it would be revised here also. David Tachau thought that a level of 10 was incredibly aggressive. Helen Mountjoy replied that it removes the ability of schools to mask subpopulation performance. Mr. Tachau continued that 10 as a number might be too strict. Helen Mountjoy clarified that it would be at least 10 per grade or a minimum of 30 students per school and said that this proposed plan would make the schools specifically responsible for all subpopulations' performance.

Dr. James Catterall then asked if Assistance Level 3 schools would be the only ones designated as not making AYP. Helen Mountjoy pointed out that if a school is not a Level 3 school and thus not designated as not making AYP, one would also look at subpopulation performance relative to making AYP.

Dr. Catterall then said a Level 2 school with no subpopulation problem could stay in this category with a relatively flat line. He indicated it would not be considered in the category of not making AYP and could hang there for awhile.

Commissioner Wilhoit said that a school could not stay in a category over a long period of time without dropping categories and indicated there are also consequences for Level 2 schools. He went on to raise the possibility of a high achieving school not making AYP due to the subpopulation criteria.



Helen Mountjoy felt that it might also be good since we exceed this indicator to include in the narrative the assistance that is provided for Level 2 and 1 schools.

3.2a What is the State's starting point for calculating adequate yearly progress?

Mountjoy indicated that the proposal is to stick with the baseline years where we have already started. Commissioner Wilhoit added that it is possible to keep Kentucky's system in place even if the federal officials ask us to start in the year they cite. Board members by consensus agreed with the baseline proposal in the preliminary application.

3.2b What are the State's annual measurable objectives for determining adequate yearly progress?

3.2c What are the State's intermediate goals for determining adequate yearly progress?

Moving on to 3.2b that dealt with having statewide measurable annual objectives and 3.2c dealing with establishing intermediate goals, the Board agreed with the proposals in the preliminary application.

4.1 How does the State accountability system make an annual determination of whether each public school and LEA in the state made AYP?

Indicator 4.1 that dealt with making annual decisions about the achievement of all public schools and districts, Chair Mountjoy noted that the proposal is to flag those schools not making adequate progress in the off-years to evaluate whether they need assistance. She asked Board members if the language communicated that point.

Dr. James Catterall indicated that he and Dr. Poggio think there might be a hitch in the model that is being proposed to determine whether schools are making AYP. He charted out their concerns for the Board.

Chair Mountjoy expressed that she felt like all of the schools that remain in Levels 1, 2, and 3 will receive different kinds of assistance and will not be left to languish.

Dr. Poggio clarified that he and Dr. Catterall were trying to understand if a school has a data point below the assistance line why it would not be designated as not making AYP.

Chair Mountjoy noted that if past experience holds true, assistance to these schools will move their performance up. She reminded the Board that each state is to determine what it accepts as not making adequate yearly progress.

Deputy Commissioner Kevin Noland said that further negotiation might be necessary on this indicator with federal officials, but felt if this was the direction the Board wanted to pursue, that is what should be submitted.

Due to the questions on this particular standard, Commissioner Wilhoit asked staff to do a data run on Levels 1, 2 and 3 schools plus subpopulations to see how this model would affect schools before the Board made a decision about the direction it wanted to pursue.

- 5.1 How does the definition of adequate yearly progress include all the required student subgroups?
- 5.2 How are public schools and LEAs held accountable for the progress of student subgroups in the determination of adequate yearly progress?

Relative to Indicator 5.1 on how the definition of adequate yearly progress includes all the required student subgroups and 5.2 dealing with how schools and districts are held accountable for the progress of student subgroups in the determination of adequate yearly progress, the Board felt these were fairly straight forward and agreed by consensus that the content was appropriate.

- 5.3 How are students with disabilities included in the State's definition of adequate yearly progress?

Indicator 5.3 dealt with how students with disabilities are included in the definition of adequate yearly progress. Chair Mountjoy explained that the question comes up frequently on how students in our assessment can have a reader on the reading test. She indicated that the answer is we are looking at the student's comprehension. Mountjoy went on to say that this accommodation must be noted on the student's IEP for it to be used in the testing situation.

John Poggio suggested that the word modification in the second paragraph of the response be deleted because that is a different concept than accommodation.

- 5.4 How are students with limited English proficiency included in the State's definition of adequate yearly progress?

On Indicator 5.4 dealing with how LEP students are included in the state's definition of adequate yearly progress, Commissioner Wilhoit reported that the response is a direct reflection of the Board's prior decision on this issue. The Board agreed that the content was appropriate.

- 5.5 What is the State's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes?

On Indicator 5.5 that dealt with the state's definition of the minimum number of students in a subgroup required for reporting and accountability purposes, Chair Mountjoy pointed out that the recommendation is to include no fewer than 10 in each grade level and no fewer than a total of 30 students per school.

David Tachau asked why there was a recommendation of 10 in this area and stated that the chart emailed to Board members did not reflect the total of 30 students.

Chair Mountjoy responded that the Board asked for a recommendation from NTAPAA for what would be statistically reliable as a number to use.

Commissioner Wilhoit added that he thought the Board would be looking for a number that psychometricians would say stands the test of being statistically reliable.

David Tachau continued that he thought this particular indicator produces a thorny debate. He felt the real debate would be between the numbers 10 and 20 because this would affect the number of students that would be eligible to transfer to another school via parents' choice if the schools do not make AYP. Tachau was concerned that the number chosen could impose a cost burden on districts. He also said when the number is designated and parents have the right to transfer once the school does not make AYP, it says that KERA is not working in that school and thus, this issue is not just a matter of what is statistically sound.

Hilma Prather then asked what the minimum number is under the federal mandate. Helen Mountjoy replied that there is no minimum number specified and said that the number 10 comes from the FERPA requirement relative to students with disabilities. She said Kentucky has a long history of using this minimum number over time to determine whether there are sufficient numbers of students for which to hold a school accountable.

Dorie Combs stated that the reason for keeping the number low is so that truly no child is left behind.

Gail Henson felt that the communication issue raised by David Tachau of why parents are being offered a choice needs to be addressed because the minimum number will make a difference in how a school is portrayed to the public. Henson indicated that communication will need to go to the public on what this actually means to counter a loss of confidence in schools.

David Tachau added that he believed some states are not going with the lowest statistically valid number because they are trying to game the system. He went on to say telling parents at 266 schools that their school is no good will be problematic. Tachau urged the Board not to set the bar at an unrealistic level.

Chair Mountjoy said that if the Board follows Tachau's premise, then Kentucky must lower its standards.

Tachau went on to say that he is just advocating that the number should not be the minimum statistically sound number but instead be based on where it would be fair and ensure the students needing services will receive them.

Commissioner Wilhoit shared that other states are starting to settle on numbers in the middle with Indiana choosing 30 per school. Scott Trimble added that most of the numbers he has seen so far are in the 20s and 30s per school.

Chair Mountjoy then explained that each school would have a chart for the various subgroups that has a goal and assistance line. She said progress or lack of on this chart would determine if the school does not meet AYP relative to the subpopulation requirement.

Commissioner Wilhoit clarified that if a school does not meet its goal for subpopulations, it does not make AYP. Scott Trimble went on to say that this would be any school below its subpopulation assistance line.

Chair Mountjoy asked if this was the way that NTAPAA looked at this issue.

Dr. Poggio replied that NTAPAA looked at what the minimum sample size would be to yield a reliable result.

Mountjoy asked if NTAPAA discussed individual charts for each school and Dr. Poggio replied affirmatively. She then asked staff if there had been plans from other states approved with an approach similar to this. Scott Trimble replied that the numbers approved so far are 20 to 30 and reported that Massachusetts has a sliding scale.

Benny Lile stated that it appears the higher the number is, the more difficult it makes things for high schools. Scott Trimble added that this was true and noted it also eliminates more elementary schools.

Commissioner Wilhoit emphasized that he wanted a fair policy but also did not want to exclude a large number of schools. He said he also did not want to submit something that cannot be defended technically. The Commissioner saw no compelling argument to be more or less stringent than other states and indicated that 30 seems to be the standard.

Chair Mountjoy stated there are steps that can be taken to explain the Board's choice in the "n" number, but felt the Board cannot exclude those schools where students need help even if it causes temporary discomfort. She wanted to be on the record for coming down on that side of the issue.

Scott Trimble noted that as the minimum "n" count is raised, there can be an issue about the size of some schools in that some schools might be smaller than the minimum set.

Chair Mountjoy brought the discussion to a close by summarizing that the recommendation from staff is 10 per grade level with no fewer than 30 per school and asked if the Board supported this recommendation. The consensus of the Board was to support it.

5.6 How does the State accountability system protect the privacy of students when reporting results and when determining AYP?

Following lunch, the Board dealt with Standard 5.6 on how the state accountability system protects the privacy of students when reporting results and when determining AYP. Chair Mountjoy did not understand the last sentence in this section and the Commissioner felt that it should be deleted.

6.1 How is the State's definition of adequate yearly progress based primarily on academic assessments?

For Indicator 6.1 dealing with how the state's definition of AYP is based primarily on academic assessments, Chair Mountjoy noted that Kentucky's system is almost entirely based on its academic assessments. The Board agreed that the content of this standard was appropriate.

7.1 What is the State definition for the public high school graduation rate?

Indicator 7.1 related to the state's definition for public high school graduation rate and Chair Mountjoy asked if there was a standard, acceptable definition for this term.

Associate Commissioner Scott Trimble replied that the formula proposed in the draft submission comes from the National Council of Education Statistics (NCES). He indicated that NCES looked at eight different ways to calculate dropout and did follow a cohort of students. He said the findings showed this particular method was the most accurate way to determine graduation rate.

Hilma Prather asked if there could be an adaptation or qualifier for a school where demographics have changed significantly. Scott Trimble replied that such a school would have the right to appeal under the Board's current regulation. John Poggio added that the Board must have an appeals process and thought the situation Hilma Prather described would qualify for an appeal.

Paul Whalen then inquired how the formula takes into account students that take more than four years to graduate. Scott Trimble replied the formula assumes that this will balance out over time.

Samuel Robinson asked about students that graduate in three years. John Poggio replied that he thought the situation would be applicable for the appeals process. He pointed out that eight different ways to calculate graduation rate were examined and noted the method proposed by NCES is the one that comes closest to doing what the *No Child Left Behind Act* describes.

Chair Mountjoy emphasized that what the Board desires is a defensible calculation that reflects graduation rate. She said if the Board does accept the proposed definition, then there is a question on what to do with the calculation because currently Kentucky's system has a criteria for dropout in the accountability system. Mountjoy clarified this would require having one for graduation rate.

Scott Trimble indicated that staff would work with NTAPAA to substitute the graduation rate calculation for the dropout rate.

Mountjoy continued that staff would have to come back to the Board on how to make graduation rate operational in the accountability system. Scott Trimble replied affirmatively and said the details have not yet been worked out.

Ms. Mountjoy summarized that the recommendation to the Board is to accept the NCES calculation formula for graduation rate and have staff work on a method for incorporating this into the accountability index with a report to the Board in the future. She also noted the recommendation includes using John Poggio's suggestion of the wording "graduation in four years or less" as part of the proposal. The Board agreed by consensus that it supported this approach.

7.2 What is the State's additional academic indicators for public elementary schools for the definition of AYP? For public middle schools for the definition of AYP?

Indicator 7.2 had to do with the state's additional academic indicators for public elementary schools and middle schools for the definition of AYP. The Board agreed with the approach listed in the proposal that identified the additional indicators already used in Kentucky's system.

7.3 Are the State's academic indicators valid and reliable?

The next indicator discussed was 7.3 that related to whether the state's academic indicators are valid and reliable. Chair Mountjoy pointed out that the technical report is referenced in this standard and will be available to the federal reviewers. She then wanted to know if there were other research reports NTAPAA would add to support that Kentucky's system is valid and reliable.

Scott Trimble noted that this standard actually needs to be rewritten to focus on data collection procedures.

Mountjoy also suggested that the credentials and national standing of the NTAPAA members be a part of the text. The Board then agreed that with the suggested changes it supported the direction in this section.

8.1 Does the State measure achievement in reading/language arts and mathematics separately for determining AYP?

Indicator 8.1 dealt with whether the state measures achievement in reading/language arts and mathematics separately for determining AYP. Commissioner Wilhoit explained that the proposal is to continue the indexing system that we currently use and said the text needs to build a stronger case for the consistency of Kentucky's results and the weights that are placed on reading and math.

Helen Mountjoy suggested that the text needed to reflect that skills in math and reading are also included through other subject areas.

The Board accepted this direction with the changes that were discussed.

- 9.1 How do AYP determinations meet the State's standard for acceptable reliability?
- 9.2 What is the State's process for making valid AYP determinations?

Indicator 9.1 asks how AYP determinations meet the state's standard for acceptable reliability. Chair Mountjoy said there is lots of research that needs to be attached for 9.1 and 9.2 in the appendices. She asked Dr. Poggio and Dr. Catterall to suggest pieces to be attached for these indicators. The Board then agreed with the direction stated in 9.1 and 9.2 including the suggested changes.

- 9.3 How has the State planned for incorporating into its definition of AYP anticipated changes in assessments?

For Indicator 9.3 on how the state plans to incorporate into its definition of AYP anticipated changes in assessment, Commissioner Wilhoit suggested that the history of the changes in the assessment in 1998 be added to this text and Chair Mountjoy asked that the role of SCAAC and EAARS be added. Mountjoy noted that any changes in the assessment would require a proposal to come back to the Board for that decision to be made along with conducting interactions with various constituency groups.

The Board agreed with the direction proposed in the text including the changes that were discussed.

- 10.1 What is the State's method for calculating participation rates in state assessments for use in AYP determinations?

On Indicator 10.1 dealing with the state's method for calculating participation rate in the state assessments for use in AYP determinations, Commissioner Wilhoit said this was a major issue for some states but explained Kentucky does not have problem due to its past experience in this area.

John Poggio noted that the question from the federal level asks what the method is. Helen Mountjoy agreed that this was correct and said the text needed to be reworded to explain how or exactly what the method is.

Since this was the end of all of the indicators from the federal application, Chair Mountjoy asked what will now occur relative to this document. Commissioner Wilhoit responded that staff will start the rewrite immediately and said he would like to do some work on those areas that were not clear to see how they would play out before making a final proposal to the Board. Wilhoit said that all of the areas would be revised to reflect today's conversation and that a revised copy would go to the Board for final comment before submission to the federal officials.

Chair Mountjoy pointed out that before staff can submit the preliminary application, the Board must also authorize the submission. She asked the Board to approve the direction indicated in today's discussion, the sending of the final draft to the Board for comments and edits before submission and then the empowerment of staff at the end of the editing process to submit the document to federal officials on behalf of the Commonwealth. Keith Travis so moved and Alcie Combs seconded it. The motion carried.

Mountjoy then clarified that after the editing, the document will also go to SCAAC, EARRS and others for input.

### ***ADJOURNMENT***

The special board meeting adjourned at 2:00 p.m.